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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-A

**Rules and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Central Acts**

PORTS AND TRANSPORT DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 4th June, 2022.

MOTOR VEHICLES ACT, 1988

No.G/PT/2022/7/MVD/102021/2822/KH:- The following draft of rules which is proposed to be issued under clause (p) of sub-section (2) of section 65 read with section 211 of the Motor Vehicles Act, 1988 (59 of 1988) is published as required by sub-section (1) of section 212 of the aforesaid Act inviting objections and suggestions from all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government of Gujarat on or after the expiry of thirty days from the date of this publication of this notification in the *Official Gazette*.

2. Any objection or suggestion which may be received by the Additional Chief Secretary to the Government of Gujarat, Ports and Transport Department, Sachivalaya, Gandhinagar from any person with respect to the said draft on or before the expiry of the afore said period will be considered by the Government.

DRAFT NOTIFICATION

MOTOR VEHICLES ACT, 1988

No.G/PT/2022/7/MVD/102021/2822/KH:- In exercise of the powers conferred by clause (p) of sub-section (2) of section 65 read with section 211 of the Motor Vehicles Act, 1988 (59 of 1988), the Government of Gujarat hereby makes the following rules further to amend the Gujarat Motor Vehicles Rules, 1989, namely:-

1. These rules may be called the Gujarat Motor Vehicles (2nd Amendment) Rules, 2022.
2. In the Gujarat Motor Vehicles Rules, 1989,(herein after referred as “the said rule”) after rule 48A, the following rules shall be inserted, namely,

"48B. Retention of Registration Mark:-

- (1) Notwithstanding anything contained in rule 48A, at the time of transfer of ownership of vehicle or cancellation of registration or scrapping of vehicle, the registered owner may retain the registration mark for the purpose of display it on his newly purchased vehicle of same class:

Provided that no retained number shall be used after 90 days from the retention approval:

Provided further that no registration mark shall be retained from the vehicles for which registration has already been cancelled.

Explanation: Retention mark obtained through retention procedure may be again retained in accordance with this rule."

- (2) An application of retention of registration mark shall be in form: ROR accompanied with fees as prescribed below:

- (a) In case of first time retention of registration mark:

No. of days for which number to be retained from date of Application of Retention	Classification of Numbers	Fees In Rupees	
		1	2
		(I) Two Wheeler Vehicles and others	(II) Other Vehicles
0-30 Days	Golden	8000	40000
	Silver	3500	15000
	Other	2000	8000
30-60 Days	Golden	12000	60000
	Silver	5500	25000
	Other	3000	12000
60-90 Days	Golden	16000	80000
	Silver	7000	30000
	Other	4000	16000

Explanation-

- (i) For the purpose of column (2) - Golden, Silver and other Numbers means Numbers mentioned in rule 43 of Gujarat Motor Vehicles Rules, 1989.
- (ii) For the purpose of sub-column (ii) of column (3), the “other vehicles” means the vehicles other than those specified in sub-column (i) of column (3).
- (iii) For the purpose of sub-column (i) of column (3), the “other vehicles” means two wheelers (including motor cycles with side car), three wheeler vehicles for private use or used for the transportation of passengers or goods.

(b) In case of subsequent retention of registration mark:

Retention mark obtained through retention procedure again retained on payment of fees calculated as below.

Retention Fee = A + 25% of A

Where A=Amount of Fees paid for last retention

(3) The following documents shall be attached with such application -

(i) Valid certificate of registration.

(ii) Valid certification of Fitness (in case of transport vehicle).

(iii) Valid certificate of insurance.

(iv) Valid certificate of PUC.

(v) In case vehicle registered under hypothecation agreement, NOC issued by financial institution.

(4) Application shall be proceed after compliance of the following conditions:

(a) No Motor Vehicle Tax shall be due.

(b) No offence registered under the Motor Vehicles Act,1989 or any other Act which is time being in force shall be pending.

(c) Person who intended to retain number shall be in ownership of vehicle at least one year and registration of vehicle is in force: Provided that the ownership period of less than one year may be considered in case of vehicle owned by a person in succession as per sub-section (2) of section 50 of the Motor Vehicles Act, 1988 subject to the production of death certificate of previous owner.

(d) In case of transfer of ownership under section 50 all the provisions shall be complied with under the Motor Vehicles Act, 1988 and rules made there under.

(5) New registration mark shall be allotted immediately to the vehicle from which registration mark is retained:

Provided that such registration mark may be allotted on first come first serve basis, if vehicle owner made his choice of number."

3. In the said rules, in the first Schedule, after form "CNA", the following form "ROR" shall be inserted namely.

"Form ROR"

(See rule 48 B (2))

Application for retention of registration mark

To,

Regional Transport Authority,

Full name and address of the applicant

.....
.....
.....

Part-A

I hereby apply for retention of registration mark as herein under set out:

1. Particulars of Vehicle from which registration mark has to be retained:

- (a) Registration Mark
- (b) Registration Valid from to
- (c) Insurance Valid From to
- (d) PUCC Valid From to
- (e) Motor Vehicles Tax from to

(Relevant documents enclosed)

2. Motor Vehicle Tax Purpose for Retention:

- (a) Transfer of ownership: YES/NO
- (b) Cancellation of Registration or Scrapping of Vehicle: YES/NO
- (i) If Yes then Specify Registration no. of Vehicle on which registration mark has to be retained:
.....

3. I hereby declare that the above statements are true and that I have supplied all the information and documents necessary to support the statements made in this application. I State that no motor vehicle tax is due and no offence registered under motor vehicle act or in any other act which is time being in force is pending.

In case of wrong or misleading declaration, my application shall be rejected and appropriate action shall be taken against me.

4. I herewith tender the fee prescribed in rule 43.

(Signature of the applicant)

Date:

Place:

*Strike out whichever is either not required or not applicable."

Part-B

Request of choice of allotment of new registration mark on vehicle from which registration mark retained.

I have purchased vehicle bearing registration mark _____ and chassis no. _____
from _____ who has retained registration mark _____ from this vehicle.

I hereby make request that I intends to obtain _____ registration mark through first come first serve basis.
I have tender fee of Rs. _____ through receipt no. _____

(Signature of the transferee)

Date:

Place:

By order and in the name of the Governor of Gujarat,

R. V. BHATT,
Deputy Secretary to Government.

